

Attorney Docket no: PHO-122

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dees et al.

Serial No.: 09/900,355

Filed: July 6, 2001

Art Unit: 1614

For: MEDICAMENTS FOR CHEMO-  
THERAPEUTIC TREATMENT  
OF DISEASE

) I hereby certify that this correspondence  
) is being deposited with the United States  
) Postal Service as first class mail in an  
) envelope addressed to:  
) Commissioner for Patents, Washington,  
) D.C. 20231, on March 29, 2002

) Rachelle Hanneig  
)  
)  
)

) Date: March 29, 2002  
)

March 29, 2002

RESPONSE FOR REQUEST FOR SUBSTITUTE PAPERS

Commissioner for Patents  
Washington D.C. 20231

Dear Sir:

In response to the (2) Request(s) for Substitute Papers mailed March 15, 2002, please  
find enclosed herewith:

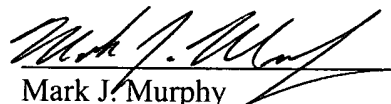
Papers with certificate of mailing dated December 5, 2001 (listed as filed on 1/16/02 in Request):

1. Completion of Filing Requirement Transmittal;
2. Notice to File Missing Parts of Nonprovisional Application (Formalities Letter);
3. Petition to Extend Time;
4. Power of Attorney and Declaration;
5. Patent Assignment Cover Sheet;
6. Assignment;
7. Copy of Check and Postcard.

Papers with certificated of mailing dated November 5, 2001 (listed as filed on 01/04/02 in Request):

1. Information Disclosure Statement;
2. List of Publications Cited by Applicant Transmittal;
3. Khaw et al. Patent;
4. Dess et al. Patent;
5. Search Report regarding PCT/US01/21585;
6. Copy of Postcard.

Respectfully submitted,

  
Mark J. Murphy  
Registration No. 34,225

COOK, ALEX, McFARRON, MANZO,  
CUMMINGS & MEHLER, Ltd.  
200 West Adams Street, Suite 2850  
Chicago, Illinois 60606  
(312) 236-8500



**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

1

1

1

2

)

!

2

)

!

## 1

)

or

2

Country	Application no.	Date of Filing	Priority Claimed

### Fees

  X   Surcharge for filing the oath or declaration on a date later than the filing date of the application \$65.00  
  X   Assignment recordal fee \$40.00  
  X   Other \$  
**TOTAL** **\$170.00**

### Payment of Fees


  X   Enclosed is a check in the amount of \$170.00.  
       Charge Account No. 50/1039 in the amount of \$.  
 A duplicate of this request is attached.

### Authorization to Charge Additional Fees

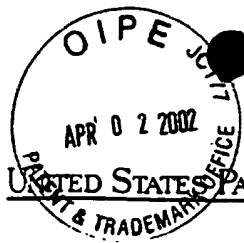
  X   The Commissioner is hereby authorized to charge any additional fees which may be required by this paper and during the pendency of this application to Account No. 50/1039.

       Filing fees \$  
       Presentation of extra claims \$  
       Application processing fees  
  X   Any processing fees required

Date: December 5, 2001

  
 Stephen B. Heller  
 Registration No.: 30,181

COOK, ALEX, McFARRON, MANZO  
 CUMMINGS & MEHLER, LTD.  
 200 West Adams Street, Suite 2850  
 Chicago, Illinois 60606 (312) 236-8500



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/900,355	07/06/2001	H. Craig Dees	PHO-122

CONFIRMATION NO. 5998

## FORMALITIES LETTER



\*OC000000006503307\*

COOK, ALEX, McFARRON, MANZO,  
CUMMINGS & MEHLER, LTD.  
Suite 2850  
200 West Adams St.  
Chicago, IL 60606

Date Mailed: 08/31/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

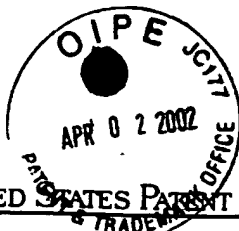
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

Application Number	Filing Date	First Named Applicant	Atty. Docket No.
09/900,355	07/06/2001	Dees, H.	PHO-122

COOK, ALEX, McFARRON, MANZO,  
CUMMINGS & MEHLER, LTD.

Suite 2850

200 West Adams St.

Chicago IL 60606

**Title:** Medicaments for chemotherapeutic treatment of disease

RECEIVED  
MAR 20 2002

COOK, ALEX, McFARRON,  
MANZO, CUMMINGS & MEHLER

Date Mailed: 03/15/2002

## Request for Substitute Papers

The papers filed on 01/04/02 (certificate of mailing dated 11/05/01) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated **703-746-4060(OIPE)**.

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO **strongly** prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely replay to this notice within **two (2) weeks** of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. **A copy of this notice should be included with the reply.**

The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: \_\_\_\_\_ Registration No.: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

CASE	PHO-122
ATTY.	CDM/MSM
DUE DATE	DATE BY
CALL UP	DATE
RECEIVED	DATE
RECEIVED BY ATTY.	DATE
OK TO FILE	DATE

*Response due 4/3/02*



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

Application Number	Filing Date	First Named Applicant	Atty. Docket No.
09/900,355	07/06/2001	Dees, H.	PHO-122

COOK, ALEX, McFARRON, MANZO,  
 CUMMINGS & MEHLER, LTD.  
 Suite 2850  
 200 West Adams St.  
 Chicago IL 60606

**Title:** Medicaments for chemotherapeutic treatment of disease

Date Mailed: 03/15/2002

## Request for Substitute Papers

The papers filed on 01/16/02 (certificate of mailing dated 12/05/01) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated **703-746-4060(OIPE)**.

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO **strongly** prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely replay to this notice within **two (2) weeks** of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. **A copy of this notice should be included with the reply.**

-----  
 The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: \_\_\_\_\_ Registration No.: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

COOK ALEX MCFARRON MANZO  
CUMMINGS & MEHLER, LTD.  
200 W. ADAMS ST. • SUITE 2850  
CHICAGO, ILLINOIS 60606  
(312) 238-8500 • FED. ID NO. 38-4307193

LASALLE BANK, N.A.  
CHICAGO, ILLINOIS 60603

7691

2-50/710

12/5/01

PAY TO THE ORDER OF Commissioner for Patents

\$ \*\*170.00

One Hundred Seventy and 00/100\*\*\*\*\* DOLLARS

MEMO PHO 122 - Photogen

*Stephen B. Heller*  
*Robert J. Heller*

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

007691 0710005051 5800296120

THE U.S. PATENT & TRADEMARK OFFICE  
OFFICIAL MAILROOM STAMP AFFIXED  
HERETO, ACKNOWLEDGES RECEIPT OF:

ENCLOSURES:

- ( ) Application \_\_\_\_\_
- ( ) Specification \_\_\_\_\_ pages
- ( ) Claims \_\_\_\_\_ pages
- ( ) Abstract \_\_\_\_\_ page(s)
- ( ) Drawing Sheets no. \_\_\_\_\_ (F) \_\_\_\_\_ (INF) \_\_\_\_\_
- (X) Transmittal Letter: Completion of Filing
- (X) Check \$ 170.00 No: 7691
- (X) Declaration/Oath
- (X) Assignment and Cover Sheet
- ( ) Information Disclosure Statement
- ( ) Response/Amendment
- (X) Extension of Time (In Duplicate) - 2 Months
- ( ) Small Entity Status
- ( ) Copy of Priority Document
- (X) PTO Notice to File Missing Parts
- ( ) \_\_\_\_\_

RE: APPLICATION ATTY/SEC: MJM/cn  
File no: PHO-122

Applicant: H. Craig DEES et al

S.N. 09/900,355 Filing Date: July 6, 2001

Title: Medicaments for Chemotherapeutic Treatment of Disease

Due date: 12/31/2001 Date Sent: 12/5/2001

COOK, ALEX, MCFARRON, MANZO, CUMMINGS & MEHLER LTD.  
200 West Adams Street  
Suite 2850  
Chicago, Illinois 60606-5234

